

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
| | : | Examiner: James Phan |
| Manabu Kato |) | |
| | : | Group Art Unit: 2872 |
| Appln. No.: 08/951,635 |) | |
| | : | Confirmation No.: 1809 |
| Filed: October 17, 1997 |) | |
| | : | March 29, 2011 |
| For: SCANNING OPTICAL APPARATUS |) | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TWELFTH INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed PTO/SB/08a. Copies of the documents, other than U.S. patent documents, are also enclosed.

REMARKS

The following documents were cited in a March 16, 2011 European Communication (copy provided) in a foreign counterpart application (European Patent Appln. No. 10152653.1) corresponding to the subject application:

(1) EP 0 441 350 A2 (referred to as "D1"); and

(2) US 5,025,268 (referred to as “D2”).

Document (1) was cited in the September 16, 1996 and September 26, 2005 Information Disclosure Statements. Document (2) was cited in the June 2, 2008 Notice of Allowability.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Each item of information in this information disclosure statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Statement.

STATEMENT UNDER 37 C.F.R. § 1.704(d)

Each item of information in this information disclosure statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing date of this information disclosure statement.

FORMAL MATTERS

Please charge \$180 to Deposit Account No. 06-1205 to cover the Information Disclosure Statement fee. Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO/SB/08a be returned indicating that such information has

been considered.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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